

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**BARON G. GEMMER AND
LYDIA S. GEMMER**

Plaintiffs,

v.

**SURREY SERVICES FOR
SENIORS, INC.**

Defendant.

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: Civil Action No. 2:10-cv-00810 (CDJ)
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NOTICE OF APPEAL

Notice is hereby given that Baron G. Gemmer and Lydia S. Gemmer, plaintiffs in the above-captioned case, hereby appeal to the United States Court of Appeals for the Third Circuit from the order entered in this action on December 13, 2010, approving and adopting the Report and Recommendation of the Magistrate Judge, with the exception of Paragraphs 65, 118, and 126, granting the motion for preliminary injunction of defendant Surrey Services for Seniors, Inc., and denying the plaintiffs' motion for preliminary injunction.

Respectfully submitted,

By: /s/
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CERTIFICATE OF SERVICE

I, Alexis Arena, certify that on this day, the 10th day of January, 2011, the foregoing Notice of Appeal was filed electronically. The parties' Counsel of Record were served electronically as provided by Section 7(a) of this Court's Procedural Order on Electronic Case Filing, which is incorporated into the Local Rules of Civil Procedure by Local Rule 5.1.2.

Pursuant to Federal Rule of Civil Procedure 3(a), additional copies of the attached Notice of Appeal were also sent to the clerk for service on defendant Surrey Services for Seniors, Inc.

By: /s/ Alexis Arena
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